

805 KAR 4:060. Blasting safety.

RELATES TO: KRS 351.330

STATUTORY AUTHORITY: KRS Chapter 13A, 351.330, 351.335

NECESSITY, FUNCTION, AND CONFORMITY: KRS 351.330 requires the Department for Natural Resources to provide rules and administrative regulations for blasting near public highways, streams, dwelling houses, public buildings, schools, churches and commercial and institutional buildings. This administrative regulation provides those rules and administrative regulations.

Section 1. (1) When operating within 800 feet of a highway if there is chance of flying rock landing on the highway, traffic must be stopped at a safe distance. Blasted material shall not be thrown on a public highway in sufficient quantity to impede traffic, and any material thrown on a highway shall be removed promptly.

(2) Where a blasting operation is conducted in the vicinity of an active deep mine, the blaster shall observe all procedures necessary to secure the health and safety of the deep mine workers.

(3) Blasting operations shall be conducted during daylight hours (one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset) except by special permit issued by the Department for Natural Resources. Said permit shall be issued on the basis of safety.

(4) If, as a result of a blast, the vibrational levels are exceeded or material is hurled through the air causing damage to homes or other property, or causing personal injury or death, or endangering public safety, health and general welfare in violation of any standard promulgated by this agency, the department may consider this due cause for revocation of blaster's license and invoke penalties according to KRS 351.990.

(5) The contractor or operator as well as the blaster shall be responsible for the conduct of blasting on any operation.

(6) Nothing contained herein shall relieve the contractor or operator or other persons of responsibility and liability under any other laws. (E&B-M&M-6; 1 Ky.R. 1074; eff. 6-11-1975; 17 Ky.R. 3267; eff. 6-26-1991; TAm eff. 8-9-2007; TAm eff. 6-26-2014; Crt eff. 6-27-2018.)